



KENYA

SUPPORTING THE KENYA CONSTITUTIONAL IMPLEMENTATION PROCESS

Supporting the Kenya Constitutional Implementation Process is a partnership between USAID and the International Development Law Organization (IDLO) to assist the Government of Kenya (GOK) in developing comprehensive laws and policies required under the Constitution of Kenya (COK) 2010.

The activity provides technical support to the agencies responsible for preparing and reviewing legislation required by Kenya's 2010 constitution. The technical assistance continues to focus on formulation and review of a whole set of new laws, regulatory and policy instruments in environment, land and governance sectors at the national and county governments. In addition, the activity supports the Kenya Law Reform Commission (KLRC) on legal drafting and analysis of new laws to ensure they do not conflict with the COK 2010. The activity also supports stakeholder forums that ensure civil society organizations actively participate in, and contribute to, the legislation-making process.

OUR WORK

Supporting the Kenya Constitutional Implementation Process assists selected government ministries and departments in areas such as organizing stakeholder engagement; sector-based approaches; advisory opinions; judicial intervention; public participation; collaborative arrangements with other partners such as constitutional commissions and independent public offices; comparative analysis; and, incorporation of international best practices and monitoring and reporting.

With USAID technical assistance and support, the Judiciary Committee on Election (JCE), the successor of Judiciary Working Committee on Elections (JWCEP), has been implementing activities within the strategic plan to enhance the Elections Dispute Resolution (EDR) processes. USAID support includes legal research expertise, technical support for development of rules of procedures and case management, and development of reference documents for and training of judicial officers on handling electoral petitions.

ACHIEVEMENTS

The Supporting the Kenya Constitutional Implementation Process activity supported the Office of the Attorney General, the KLRC, other independent Constitutional Commissions, and the National Parliament to ensure that new laws that are drafted or reviewed are not in conflict with the 2010 constitution and that such laws are facilitating the implementation of the Constitution.

Since 2014, the activity supported the JWCEP in drafting and publishing a Post-Election Report, 2013 and development and implementation of JWCEP Strategic Plan. The publication enabled the committee to internally assess its progress and inform the public of the Judiciary's efforts in resolving electoral disputes effectively, efficiently and with impartiality.

Currently, the activity is consolidating gains and documenting challenges for future improvement with regard to EDR based on the 2017 elections.

During FY 2017, the activity has supported:

- The development of over 20 devolution policies that have progressed towards approval
- Over 20 laws, policies and procedures drafted, proposed or adopted to promote constitutional reform at regional, county and national level
- Over 20 initiatives on electoral and political party disputes resolution prior to the 2017 elections
- About 20 laws, policies, strategies, plans and agreements or regulations addressing climate change
- The launch of the Judiciary Benchbook on EDR

BUDGET \$5.7 million

DURATION
2011 - 2018

ACTIVITY LOCATIONS: Nationwide

IMPLEMENTING PARTNERS
International Law development Institute (IDLO)

KEY PARTNERS
Kenya Commission for the Implementation of the Constitution (CIC)
Kenya Law Reform Commission
The Attorney General's Office

USAID CONTACTS
Zephania Aura, Senior Elections Specialist
+254 20 862 2000
zaura@usaid.gov

PARTNER CONTACTS
Enid Muthoni, Field Program Manager, IDLO
+254 (0) 20 266 4037
emuthoni@idlo.int

FOR MORE INFORMATION
Email: usaidke@usaid.gov
Website: www.usaid.gov/kenya
Facebook: USAIDKenya
Twitter: @USAIDKenya